

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

Bail Appl..No. 6916 of 2006(A)

CRIME NO. 286/06 OF PAMPADI POLICE STATION

PETITIONER/ACCUSED

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1. ASHKAR, S/O.SALAM, AGED 22 YEARS,
TANGAL NAGAR, PUTHYA ROAD, MATTANCHERY,
 2. SHAKEER, S/O.QUDHAR, AGED 28 YEARS,
1555-1(H.N), PULLUVILLA BHAVAN,
FORTKOCHI.
 3. NAZIM, S/O.SHAMSU, AGED 25 YEARS,
VELLIYAMECODE, THURUTHY JUNCTION,
FORT COCHI.
 4. ANOOP, S/O.SHAMSU, AGED 22 YEARS,
H.N.3/323, PULLUVILLAM CHERIYAKKAL,
FORT KOCHI.

BY ADV. SRI.M.M.VINOD KUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/11/2006, THE COURT ON 28/11/2006 PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

B.A. NO. 6916 OF 2006

Dated, this the 28th day of November 2006

ORDER

In this petition filed under Sec. 439 Cr.P.C. the petitioners who are accused Nos. 2, 3, 5 and 6 respectively in Crime No. 286/06 of Pampadi Police Station for offences punishable under Sec. 395 read with Sec. 120 B of I.P.C. , seek their enlargement on bail. They were arrested on 28-9-2006.

2. The learned Director General of Prosecution opposed the application.

3. The facts of the case reveal that on 26-9-2006 in broad day light at 2.30 p.m. on the K.K. Road at Pampadi the 7 accused persons who were travelling in a Tata Indica Car overtook the car in which the de facto complainant and others were travelling and after blocking the latter car dragged out the de facto complainant and his family members and attacked them with deadly weapons and robbed them off gold ornaments weighing 19 ½ kilograms intended for sale. It was a preplanned operation. The 7th accused who was driving the offending car is still absconding and is yet to be arrested. Investigation of the case is at the preliminary stage. If at this stage, the petitioner is released on bail, there is every chance of his intimidating the prosecution witnesses and meddling with the smooth

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investigation of the case which includes recovery of the balance gold ornaments. I am not inclined to grant bail to the petitioners.

This bail application is, accordingly, dismissed.

**V. RAMKUMAR,
(JUDGE)**

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